

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SHIVA STEIN,  
Plaintiff,  
v.  
CHARLES LIANG, et al.,  
Defendants.

Case No. 21-cv-03357-JST

**ORDER REQUIRING REVISIONS TO  
PROPOSED NOTICE**


Re: ECF No. 37

On September 29, 2021, the parties submitted a proposed stipulation of voluntary dismissal of this action with prejudice. ECF No. 34. On October 25, 2021, the Court rejected the parties' stipulation, finding that notice to SuperMicro's shareholders was required before the case could be dismissed. ECF No. 36. The Court ordered the parties to file a jointly-proposed notice plan, *id.*, and the parties' proposed form of notice is now before the Court, ECF No. 37.

The Court approves the parties' proposed notice plan subject to their making two modifications. First, the link posted on Super Micro's investor relation website<sup>1</sup> must remain active for a minimum of forty-five days, not "a minimum of thirty (30) days." ECF No. 37. Second, the language in the notice must specifically identify any claims alleged in this case that are not alleged in *Barry v. Liang, et al.*, Case No. 20CV372190. For example, the parties identified in prior filings that this case includes "a contribution claim under the Exchange Act absent from the first-filed state court action." ECF No. 26 at 10; ECF No. 27 at 10. The contribution claim – and any other claims alleged in this lawsuit that are absent from *Barry* – must be clearly identified in the notice.

<sup>1</sup> <https://ir.supermicro.com/ir-overview/default.aspx>

**IT IS SO ORDERED.**

  
JON S. TIGAR  
United States District Judge